

*THIS OPINION WAS NOT WRITTEN FOR PUBLICATION*

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

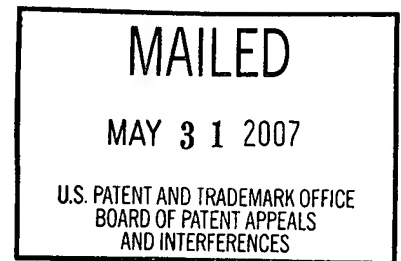
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

*Ex parte* MICHAEL ALAN SCHMIDT, PAUL KERNER PAULING  
and JOEL ANDREW COWDEN

Appeal 2007-2293  
Application 10/027,467

ON BRIEF



*ORDER REMANDING TO THE EXAMINER*

On May 24, 2006, the appellants filed a Reply Brief, which was received at the Office of Initial Patent Examination (OIPE), but due to clerical error, was omitted from the record. On May 15, 2007, the appellants filed a "Request for Change of Docket Notice", with supporting documentation of their May 24, 2006 filing, wherein they requested the Examiner's consideration of the Reply Brief.

Accordingly, this appeal is remanded to the jurisdiction of the examiner for consideration of the appellants' May 24, 2006 Reply Brief.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: Patrick Nolan

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Appeal 2007-2293  
Application 10/027,467

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